

## FARMINGTON CITY COUNCIL MEETING

May 6, 2014

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### WORK SESSION

*Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, Cory Ritz and Jim Young, City Manager Dave Millheim, City Engineer Chad Boshell, Development Director David Petersen, Associate Planner Eric Anderson, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Davis County Commissioners John Petroff, Bret Millburn, and Louenda Downs were also in attendance.*

### City Council/Davis County Commission Discussion

**Louenda Downs** thanked the City for the positive things they have accomplished. The County is continually trying to create environments where each city can thrive. A wrestling tournament was recently scheduled for January 2015 in the Legacy Events Center which will utilize a new floor and involve 1500 youth. **John Petroff** said the Center schedules approximately 1000 events per year which are subsidized with tourism dollars rather than property taxes—their purpose is to create as much economic impact as possible. When asked about the Council’s decision to not allow alcohol at the cage fighting event, **Mr. Petroff** said although he was contacted by a reporter, he did not formally comment because it was the City’s decision. **Brigham Mellor** was contacted by residents who accused him of not upholding Farmington’s values, but his perspective was that the applicant did not show up to defend it. **Jim Young** said the City sometimes feels that they are not at the top of the mind when the County is making decisions, and events at the Center do affect people in the neighborhood. He asked the County to be more sensitive to those who live and/or work in the area. **Mr. Petroff** said they plan to increase and pave additional parking areas and install a ticket booth on the north end. **Dave Millheim** said the City is planning a park bond and RAP tax election in the fall of 2014 to build a large, regional park. A new elementary school will be built in the area, and the DSD, the City, and the County will need to work together on the street/bridge work in that area. **Mayor Talbot** told the County he plans to keep them in the loop regarding the park project. **John Bilton** said the City has a master plan, and he asked the County what their plans and/or goals are for Farmington. He would like to see better alignment at many different levels, and both the City and the County agreed to make efforts for better communication and planning.

### Brentwood Estates

**John Bilton** asked if adequate noticing was given for the April 17<sup>th</sup> Brentwood Estates public hearing. **Eric Anderson** said the proper 72-hour notice was given. **Mr. Bilton** said some residents felt that the schematic plan should have gone back to the Planning Commission (“PC”) after the Council tabled it on Feb. 28<sup>th</sup>. **Dave Millheim** said the Council has the latitude to send it back or not. The PC is an advisory board to the Council, and they sometimes forget that. **Eric Anderson** said one of the justifications was that the preliminary plat would go back to the PC and in that case they would not be the recommending body so they are giving vesting at preliminary plat. **Mr. Bilton** spoke with the City Traffic Engineer who said safety is very subjective—line of sight, distance, and queuing are all factors. Traffic moving westbound on 1400 N and attempting left-hand turns onto Main Street—especially in the winter—is the major concern. **Dave Millheim** advised the Council to stay focused on whether or not they should overturn the PC decision.

## **REGULAR SESSION**

*Present: Mayor Jim Talbot, Council Members Doug Anderson, John Bilton, Brigham Mellor, Cory Ritz and Jim Young, City Manager Dave Millheim, City Engineer Chad Boshell, Development Director David Petersen, Associate Planner Eric Anderson, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey*

### **CALL TO ORDER:**

#### **Roll Call (Opening Comments/Invocation/Pledge of Allegiance)**

The invocation was offered by **Doug Anderson** and the Pledge of Allegiance was led by **John Bilton**.

### **REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:**

#### **Executive Summary for Planning Commission meeting held April 17, 2014**

**Eric Anderson** reported that the PC recommended the following:

- Approval of the Schematic Plan for the Eastridge Cove Conservation Subdivision;
- The Haws Companies' request as follows:
  - I. Approval of the Zone Change as contained in the staff report;
  - II. Approval of the PMP Application;
  - III. Approval/Disapproval of various Section 114 Alternative Development Standards as specified in the staff report;
  - IV. Approval of the zone text change to amend the Regulating Plan.
- Tabled the City's request to modify Chapter 12 of the Zoning Ordinance;
- Tabled the City's request to modify the flag lot definition in the Subdivision Ordinance.

#### **Presentation regarding Bountiful/Davis Arts Center Summerfest International**

**Emma Dugal** said they have enjoyed being in Farmington but will return to Bountiful in November. She shared information regarding exhibits, summer workshops, art classes, and Summerfest which includes dancers from around the world and promotes good will and friendship. They encourage support from all of the cities in Davis County.

#### **Introduction and Administration of Oath of Office for new Police Officers**

**Mayor Talbot** introduced **Leif Bybee** and **Cannon Heslop**, new Police Officers in Farmington, and **Holly Gadd** administered the Oath of Office.

### **PUBLIC HEARINGS:**

#### **Eastridge Estates Schematic Plan**

**Eric Anderson** said this request is for 13 lots at approximately 1470 S 200 E. The applicant is requesting an open space waiver, a waiver of the 80-foot buffer, a waiver of Section 11-12-100(e), and flexibility on the side and front setbacks on Lots 105-108. Neighbors suggested a road to 200 E which may not be possible because it is a UDOT road with a curb cut only 250 feet away.

**John Wheatley**, 526 N 400 W, N Salt Lake, said this is a 26-acre parcel, and almost half of the property will be open space. They are currently waiting for wetland delineation on Phase 2, and the existing home will be demolished.

**Public Hearing:**

The Public Hearing was opened at 7:45 p.m.

**Elizabeth Droge**, 13 E 1470 S, lives directly in the line of the road to 1470 S. The existing neighborhood has a high water table and there are water issues. She asked the City to go above and beyond to make sure there are not additional water problems.

The Public Hearing was closed at 7:55 p.m.

**Brigham Mellor** asked if the applicant would be required to retain the water on their property, and **Chad Boshell** said each yard drain will catch the water on the back of the lot and force it into a temporary detention basin on the west end. **Cory Ritz** asked about the justification for lower side and front setbacks, and **Eric Anderson** said he was not sure. **David Petersen** said the City is in the process of an amendment regarding setbacks, and **Dave Millheim** said it is more about fitting the home on the lot than the lot count. **Bruce Robinson**, Symphony Homes, said they would like to have porches on the homes, and by pulling the porches forward and the garages backward, there will be a greater buffer between the rear of the homes and 200 East.

**Motion:**

**John Bilton** made a motion to approve the Schematic Plan for the Eastridge Estates Conservation Subdivision, subject to all applicable Farmington City ordinances and development standards and with the conditions and findings recommended by the Planning Commission. **Jim Young** seconded the motion which was unanimously approved.

**Brentwood Estates Preliminary Plat (Appeal)**

**David Petersen** said Ivory Homes initially requested access to 1400 N but the City Engineer recommended a cul de sac. There was little public comment when the PC reviewed the Schematic Plan, but when the Council reviewed it, neighbors complained and hired an engineer to draft another plan. When the PC reviewed the Preliminary Plat, other neighbors spoke out against the second plan. Two appeals were received: Ivory Homes appealed because (1) the PC approved a Preliminary Plat that was not submitted to them; and (2) the PC did not act on the Preliminary Plat request that was submitted. The neighborhood listed 10 reasons (on p. 3 of the staff report) for their appeal, and staff wanted the Council to hear from both groups.

**Paul Hirst**, 497 W 1300 N, former Farmington City Engineer, reviewed the documentation and talked with residents on both sides of the issue. The City Engineer's job is to enforce the

ordinances and design standards the City Council adopts, and they do the best they can within the rules. When this issue was considered previously, he decided that because of the bench and the steepness of 1400 N, it was not a good idea to punch the road through to 1400 N. However, because of fewer snowy roads and the fact that the developer will do some grading and retaining to create a platform for cars to stage onto, he would now support an access onto 1400 N.

**Nick Mingo**, 978 E. Wood Oak Lane, Ivory Homes, did not comment but said he was available for questions.

**Public Hearing:**

The Public Hearing was opened at 8:20 p.m., and **Mayor Talbot** said the petitions submitted to the City would be added to the public record.

**Coty Erickson**, 511 W 1400 N, lives three homes west of the proposed access road. She is fine with the development because it will raise the value of her home. Her husband grew up in their home which was built in 1984 and was hit by a car on 1400 N when he was 15 years old. Cars cover her with slush when she shovels snow in her driveway. 80% of drivers use 1400 N, and only 20% use 1300 N. There is no sidewalk on the other side of 1400 N, and safety should be a higher consideration than the inconvenience of excess traffic.

**Kris Kaufman**, 1734 N Compton Road, submitted several photographs and read, with all due respect, the following sections from the Utah Code:

- Section 10-9a-701(3)(b) “An appeal authority may not entertain an appeal of a matter in which the appeal authority, or any participating member, had first acted as the land use authority”;
- Section 10-9a-705 “The appellant has the burden of proving that the land use authority erred”;
- Section 10-9a-707(3) “The appeal authority shall determine the correctness of a decision of the land use authority in its interpretation and application of a land use ordinance”;

He said the City Council acted as the original land use authority and reserved unto it the final decision-making power which was inappropriate, and the Council must prove that the PC erred. He asked why finding #8 – “a second access is needed for safety issues” is necessary now. There were no safety issues with the single access because it was wide enough for emergency vehicles.

**Diane Nilsson**, 521 W 1400 N, lives four homes west of the proposed access and thanked the City for the increased police presence on 1400 N. She backs out onto 1400 N and because of the curve she cannot see traffic to the east, and her neighbor to the west has even less of a sight line. Construction traffic is constant and this project has not even started. It is a scary road when it snows and when there is high traffic.

**Steve Young**, 1434 N Bennett Circle, asked everyone in support of the double access to stand. They filed a joint petition and appeal, and he highlighted a couple of issues: (1) a double access is the correct way to build a neighborhood, and it has been on the City’s Master Plan since 1992; (2) 1300 N and Cherry Blossom are only 30 feet wide. It is vital to have several options because of these three dangerous roads, and this proposal is fair and reasonable.

**Troy Evans**, 1510 Cherry Blossom, loves living in Farmington, and the debate is not about which road is the most dangerous; the issue is to make the best decision for the entire community. He lived on a very busy Orchard Drive in Bountiful and moved to a quieter place, but there are many small children in his neighborhood, and he believes a shared access is the best scenario.

**Shane Holst**, 486 Welling Way, said there is no great solution to this dilemma, but the Council must determine the best alternative. He thinks the PC erred for 2 reasons: (1) they decided to force traffic through two narrow residential roads to reach a collector road; and (2) 1400 N is always plowed first, it is not as steep as the other two roads, and it is 45 feet wide.

**Dan Pratt**, 1721 N Compton Road, lives about 150 feet away from the new intersection and cannot see over the crest of the hill when he backs his car out. The general public may not understand the difference between a 12% and 15% grade, so he measured the slopes. The slope at the proposed intersection was (14%), the lowest slope on Cherry Blossom was 10%; the highest was 18%. Ivory Homes plans to create a landing spot for 2-4 cars at 2-4%, and he asked the Council to adhere to that plan.

**Mayor Talbot** said one of the main reasons he ran for Mayor is because he loves this community and supports each resident. He complimented the residents for their civil behavior and asked them to be considerate of everyone, saying “It don’t cost nothin’ to be nice.”

**Beth Johnston**, 1778 N Compton Road, pointed out that there are already two ways out of Brentwood Estates—on Hidden Meadows and on Cherry Blossom Drive.

**Melissa Garn**, Primrose Court, said if there is an access road onto 1400 N, there will actually be more traffic passing **Troy Evans’** home. When Brentwood is finished there is no more property for development in that vicinity, but her neighborhood still has the Lew Swain property, two cul de sacs and other property that may develop in the future.

**Cynthia Wood**, 1382 N Main Street, has lived in her home on the corner of Main and 1400 N for 25 years and raised six children. 95% of the people who live to the east pass her home at least 2-3 times per day. Twenty years ago a water main broke beneath Main Street, and she allowed cars to drive through her yard to reach Main Street. A second access is crucial in case of an emergency.

The Public Hearing was closed at 9:00 p.m.

**Dave Millheim** said the comments made by **Kris Kaufmann** regarding legal authority caused him concern so he called the City Attorney who recommended that the Council table the request to allow time to review the comments that were made. **Nick Mingo** said he did not understand and asked what the justification was for tabling the motion. **Dave Millheim** said the City Attorney wants to make sure that legally the City Council is acting within its proper bounds as the appeal authority as existing under both Utah Code and City Ordinance. **Nick Mingo** asked, “Who is the land use authority?” and the City Manager declined to answer the question.

**Brigham Mellor** said, “So the reason the Council would hold off on discussing the proposal is on the off chance that our opinion does not matter at this point.” **Dave Millheim** said he did not know if that was an accurate statement—he only knows that the City Attorney wants a closer look at the Code sections before he gives advice. **John Bilton** said he is not ready to make a motion and is

very disappointed that **Kris Kaufman** brought up this issue at the last minute. The applicant has been very patient for more than 12 weeks, and to delay action again is very disappointing. He respects the City Attorney and will do what he requested, but he is not happy. **Cory Ritz** said this was tantamount to hijacking the process and agreed with **Mr. Bilton** that it is not fair to the community, no matter which side of the fence they are on, and it is not fair to the developer. He asked if the room could be cleared so the Council could speak with the City Attorney by telephone. **Doug Anderson** proposed that the Council go into a closed session to speak with the City Attorney. He and **Jim Young** echoed the comments made by **John Bilton** and **Cory Ritz** and said the Council needs to move forward with a decision. **Brigham Mellor** said that may not be ample time for the City Attorney to study the issue. The **Mayor** suggested that the Council discuss this item at their meeting in one week.

**Motion:**

**Cory Ritz** made a motion to table the request for Preliminary Plat approval for the Brentwood Estates Conservation Subdivision and address it at the City Council Meeting on Tuesday, May 13, 2014. **Jim Young** seconded the motion which was unanimously approved.

**Pheasant Hollow Schematic Plan**

**Eric Anderson** said this is a 12-lot subdivision on 4.55 acres of property located at approximately 700 S and 50 E. There is an unfinished gap between 200 E and 50 W, and a local road connector would bridge the gap. The delineated wetlands will either have to be mitigated or not built on. The applicant plans to ask for an open space waiver of .84 acres, a waiver of Section 11-12-100(e) which is a design standard that half of the lots shall abut or face conservation land (only five lots in this plan meet the requirement), a reduction in some of the setbacks, and a flag lot with a stem of 118 feet. Because of numerous concerns by neighbors, the PC added a condition to require a soils report on each lot.

**John Wheatley**, 526 N 400 W, N Salt Lake, said Symphony Homes regrets that several homeowners have had negative experiences. Co-owners **Rob Miller** and **Bruce Robinson** are available to address concerns following the meeting. Symphony followed the recommendation of the soils engineer, but there were issues with settlement. They have hired an additional geotech firm to gather information regarding this Plan, and both reports will be submitted to the City for a peer review, the process used by Rice Farms. The flag lot is necessary because they plan to reroute a large sewer main that currently crosses their property and serves the entire area.

**Public Hearing:**

The Public Hearing was opened at 9:30 p.m.

**Mark Pasgett**, 596 Glenhill Court, said his concerns are not just for this particular developer or subdivision but for the way the City conducts business with developers. The City is virtually powerless to stop property owners from developing their property as they see fit. Building codes and zoning ordinances exist to protect property owners, but 15 years ago the builder did not adhere to these requirements. Although the City did not protect him or his neighbors, he asked the Council to protect the rights of future homeowners.

**Taylor Dean**, 37 E 750 S, lives in Rice Farms and is excited to have new neighbors but he has several concerns about this wetland area. Symphony builds great homes but they are getting a little aggressive with this development. He believes the six samples were taken from the dry areas rather than the areas that will cause problems.

**Howard Dygert**, 676 S 100 E, submitted a petition with 180 signatures to table this request until adequate facts and information are provided and verified. The geotech study by Earthtec Engineering that was relied on for the Glenhill Court Subdivision states that "The risk of settlement cannot be avoided," and five options were listed, none of which was followed by the developer.

**Dallas Bradbury**, 692 S 100 E, showed a picture of the area, and the red lines show springs which are currently flowing with water.

**Dan Larson**, 599 Glenhill Court, said his home and several others should never have been built in this location. He has had 4½ inches of settling in less than 10 years. Symphony Homes covered up the problems, and even though the owner was sorry for us, it does not solve the problems. The homes in this subdivision will sink just like those in Glenhill Court.

**Kelly Johnson**, 519 Glenhill Court, said his home has not had substantial settling, and he credits that to building later and being higher than some of the other lots. He agreed that the process did not work (6 homes have settling issues; 4 have used helical piers), and wants future homeowners to be protected. There are serious stability issues which need to be considered.

**Laraine Flood's** home at 524 South Glenhill Court was the last home built in this area 10 years ago. She never asked the developer to dig deeper. She was worried about the cost of digging deeper, but the hole was filled with gravel and there has been no settling. She asked the City to require the developer to build the homes correctly.

**Kimberly Farley**, 77 E 620 S, lives adjacent to the proposed development. Her home was built by another developer, and her decks have sunk. They moved in from out of state and had no idea this was a wetland area. Her dream home is turning into a nightmare. Farmington only wants more people does not care about the people who already live here. She begged the City to deny this request because it will put other families at risk.

**Jeff Holman**, 22 Virginia Circle, owns a home west of the proposed flag lot in Rice Farms. There should be a bond or requirement in place for Symphony Homes to meet. A flag lot in this location does not make sense—a driveway to reach a manhole does not justify a separate lot. The builder is trying to put more lots in the subdivision to get more money.

**Dale Tucker**, 579 S Glenhill Court, said his home is settling along with the sidewalk on the west side of his home, and he is concerned that underground utilities may be affected.

**Tim Treft**, 68 E 500 S, noticed that the PC recommended approval of a 15-lot subdivision, but these plans show 12 lots. He watched the construction of the homes in Glenhill Court, and because he knew the soil conditions, he did not feel that it was done right. He is concerned about this development because this property is even wetter than Glenhill Court.

The Public Hearing was closed at 10:02 p.m.

The **Mayor** was concerned that settling has occurred to so many homes. **Brigham Mellor** said if the developer hires a geotech firm they should be held accountable for settling issues. **Doug Anderson** agreed and asked about the process for Glenhill Court and what will be different for this project. He walked across the property and crossed a running stream and asked what will happen to the excess water. **John Wheatley** said Earthtec did the report in 2008; a different engineer has been hired to test the remaining lots. They will pay an engineering deposit to the City who will choose a third party to review the report. **Bruce Robinson** pointed out that when Continental Estates was developed, the Army Corps' rules were different, and Symphony was allowed to develop over the wetland with offsite mitigation. In this case there will be no structures on the bulk of the wetland, and there will be soils reports from two engineers and a peer review. Symphony does not want problems either—everyone involved is motivated to do everything possible to deliver a good product. Any excess water in the area will be collected and drained into the subdrain system.

**Cory Ritz** asked who will own the wetlands behind Lots 10 and 11 and was told that the lot owners will own them, but the area will be restricted. He expressed concern regarding flaws in the system, the settling of homes and sidewalks, the flag lot, and flowing streams/excess water. He took exception to **Kimberly Farley's** comment that Farmington just wants more people—that is not what the City is about. **Jim Young** asked if the City will have an independent geotech report, and staff said yes. The City relies on geotech reports to make sure adequate fill is done so the roads do not settle. **John Bilton** was happy to hear about the changes that will be made for this project.

**Andrew Harris**, GSH Geotechnical, was hired by Symphony Homes to provide a geotechnical study for this subdivision. It will define the subsurface soils and groundwater conditions and how those will impact the foundations of the homes. A subsurface investigation will be performed by drilling six test holes 20-40 feet in depth. A backhoe was used previously, but they will use specialized drilling equipment that can go much deeper if necessary. They will test the six lots that were not tested previously and look for the worst-case scenarios. There is no advantage for him to turn out a substandard product. Possible solutions for unstable soils include: (1) the removal and replacement of sensitive materials; and (2) bypassing the materials through an intermediate foundation system—helical piers are a common option. The report will be submitted along with the building permit application for each lot, and the City Inspector will make sure it is done right. **Chad Boshell** said there is typically only one geotech report for the entire site, but because of previous problems, a report will be done on each lot.

**Motion:**

**Cory Ritz** made a motion to approve the Schematic Plan for the Pheasant Hollow Conservation Subdivision, subject to all applicable Farmington City ordinances and development standards and the following conditions and findings recommended by the Planning Commission:

1. The City Manager will determine the just compensation for the waiver of the 36,590 square feet of open space, and the City Council will approve the waiver prior to Preliminary Plat;
2. The City Council will approve the waiver of Section 11-12-100(e) of the Farmington City Zoning Ordinance.
3. The applicant must either remove the flag lot (Lot 12), adjust the location of the home or agree to fire sprinkle the home;
4. The applicant must abide by all of the road standards of the underlying R Zone, as outlined in Chapter 11 of the Zoning Ordinance;



5. An overall geotech report must be submitted at Preliminary Plat, and additional soils reports shall be provided on a lot-by-lot basis in conjunction with the building permit for each lot.
6. An overall geotech report must be submitted prior to Preliminary Plat to determine the suitability of the property for development.
7. A public hearing will be held at Preliminary Plat.
8. The overall geotech report will be reviewed by a third party prior to Preliminary Plat.

The motion was seconded by **John Bilton** and unanimously approved.

*Findings for Approval:*

1. The proposed subdivision conforms to all of the development standards as set forth in Section 11-11-050.
2. The proposed Schematic Plan creates a needed east-west connection from 200 East to the Frontage Road.
3. The open space requirement is of no value to the City, and the open space will be of more value elsewhere in the City.
4. Although there is question as to the quality of the soil on site, requiring an overall geotech report and then a second lot-by-lot geotech report should determine what steps the applicant will need to take to mitigate the issue.
5. Because of concerns raised by the residents and past history of the soils, no vesting is occurring with the Schematic Plan, and a geotech report is being required to determine the feasibility of the soils.

**CONSIDERATION OF ORDINANCES/RESOLUTIONS/AGREEMENTS:**

**Resolution adopting the Tentative Budget for Fiscal Year 2015**

*Motion:*

**Jim Young** made a motion to approve the Resolution adopting the Tentative Budget for Fiscal 2014-15 and to set the public hearing date of June 17, 2014 to adopt the final budget for FY 2015. The motion was seconded by **Doug Anderson** and unanimously approved.

**PRESENTATION OF PETITIONS AND REQUESTS:**

**Grand Marshal Nomination for Festival Days Parade**

*Motion:*

**Cory Ritz** made a motion to nominate **James Mason** as the Grand Marshal Nominee. **Jim Young** seconded the motion which was unanimously approved.

**Approval of Bid for the Public Works Expansion and Storage Facilities**

*Motion:*

**Brigham Mellor** made a motion to accept the \$648,121.00 bid from Squires Construction. **Doug Anderson** seconded the motion which was unanimously approved.

## SUMMARY ACTION

### Summary Action List

1. Approval of Minutes from the April 15, 2014 City Council Meeting
2. Resolution amending Chapter 9 of the Personnel Policies and Procedures
3. Approval of Contractor for the Park Lane and 1100 W Waterline Reconstruction Project
4. Construction of 450 S Sidewalk Improvements
5. Ratification of Approval of Storm Water Bond Log

### Motion:

**Jim Young** made a motion to approve Items 1, 3, 4, and 5 on the Summary Action List with several amendments to the Minutes and to table Item 2 for further information. **John Bilton** seconded the motion which was unanimously approved.

## GOVERNING BODY REPORTS:

### City Manager – Dave Millheim

- The March 2014 Fire Monthly Activity Report and Building Activity Report were included in the staff report.
- There will be a brief closed session to discuss potential litigation.

### Mayor – Jim Talbot

- The Mother of the Year luncheon will be held Friday, May 9<sup>th</sup> at 12:00 p.m. at the Wight House. Farmington's Mother of the Year is **Lorraine Thatcher**.
- **Craig Trottier** has accepted a position with TravelCo, one of the largest developers in the world, and will leave CenterCal in the near future.
- The DSD held a closed meeting to discuss the possibility of allocating \$1 million for the new park, and the results should be available on Wednesday.
- He and the City Manager and two Council Members met with UDOT. **Doug Anderson** did not think anything was accomplished and will not be able to attend the next meeting. **Cory Ritz** agreed that whenever an important issue came up, UDOT said, "We will get to that" but they never did. A possible discrepancy in Farmington's job growth was discovered which could sway the decision. **Dave Millheim** was proud of the City representatives because they were direct and clear.

**City Council**

**Cory Ritz:**

- He asked the City Manager why he left the meeting, and **Dave Millheim** agreed to provide details during the closed session.
- He received reports from neighbors specifically those who live at the sound end of 650 West after the first Saturday of soccer games regarding issues with speeding and parking.

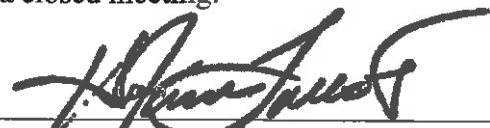
**CLOSED SESSION**

**Motion:**

At 11:30 p.m. **Jim Young** made a motion for the Council to go into a closed meeting to discuss potential litigation and the competency of an individual. The motion was seconded by **John Bilton** and unanimously approved.

**Sworn Statement**

I, **Jim Talbot**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.

  
\_\_\_\_\_  
Jim Talbot, Mayor

**Motion:**

At 12:00 p.m. a motion to reconvene into an open meeting was made by **Doug Anderson**. The motion was seconded by **John Bilton** and unanimously approved.

**ADJOURNMENT**

**Motion:**

**John Bilton** made a motion to adjourn the meeting. The motion was seconded by **Doug Anderson** and unanimously approved, and the meeting was adjourned at 12:00 p.m.

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**Holly Gadd**, City Recorder  
Farmington City Corporation



View from fire hydrant at proposed intersection as car above initiates left turn (west) onto 1400 North (car is not visible)



View from fire hydrant at proposed intersection as car above finishes left turn (west) onto 1400 North (car is not visible)



View from fire hydrant at proposed intersection as car above drives westbound on 1400 North after left turn (car is barely visible)



View from fire hydrant at proposed intersection as car above continues driving westbound on 1400 North (car is somewhat visible)



Preparing to make left turn (west) onto 1400 North



Initiating left turn (west) onto 1400 North



Finishing left turn (west) onto 1400 North



Driving westbound on 1400 North after left turn

**Petition Opposing 1400 N. Road Connection for Brentwood Estates**  
(The Subject Property is located at approximately 437 West and 1400 North)  
Contact: Coty Erickson, cotyerickson@gmail.com

We, the undersigned Farmington City residents and owners of property affected by the proposed 1400 N. Road Connection to the new Ivory Homes development known as Brentwood Estates, do hereby protest against Farmington City requiring or allowing a road connection in any form between 1400 N. and Brentwood Estates. The reasons for this Petition include:

1. The extremely steep grade of 1400 N., particularly at the point where the connection is being proposed in close proximity to the intersection of 1400 N. and Compton Rd., will result in very significant traffic and public safety hazards that will be present no matter what the weather is like or how well the road connection is engineered.
2. The 24 new building lots in Brentwood Estates will be adequately served by existing roads, including the connection from Cherry Blossom Dr. onto the lower half of 1400 N. and the connection from 1300 N. onto Main St. There is no actual need for a third road connection to Brentwood Estates.
3. The desire to have more road connections should yield to the traffic and public safety hazards that a new 1400 N. Road Connection will impose upon everyone who lives near the proposed road connection or who drives, rides or walks on 1400 N.

	Signature	Print Name	Date	Address	Email	Phone
8.	<i>Joyce A. Ruskau</i>	Joyce A. Ruskau	Mar. 01, 2014	561 W 1400 N	<i>jruskau@msn.com</i>	801-451-7260
9.	<i>Dalene Bryant</i>	Dalene Bryant	3-1-14	533 W 1400 N	<i>dalenebryant@msn.com</i>	801-451-5613
10.	<i>Victoria Bryant</i>	Victoria Bryant	3/1/14	"	<i>vbryant209@gmail.com</i>	801-585-3043
11.	<i>Kim Cline</i>	Kim Cline	3/1/14	545 N. 1400 N.	<i>kccline@q.com</i>	801-447-6279
12.	<i>C Cline</i>	Pickle Cline	"	"	<i>rccline@q.com</i>	"
13.	<i>Diane Nilsson</i>	Diane Nilsson	3/1/14	521 W 1400 N.	<i>dianenilsson@comcast.net</i>	801-447-9258
14.	<i>Leslie Nilsson</i>	Leslie Nilsson	03/01/14	521 W 1400 N	<i>lesnilsson@comcast.net</i>	801-447-9258

**Petition Opposing 1400 N. Road Connection for Brentwood Estates**

(The Subject Property is located at approximately 437 West and 1400 North)

Contact: Coty Erickson, cotyerickson@gmail.com

We, the undersigned Farmington City residents and owners of property affected by the proposed 1400 N. Road Connection to the new Ivory Homes development known as Brentwood Estates, do hereby protest against Farmington City requiring or allowing a road connection in any form between 1400 N. and Brentwood Estates. The reasons for this Petition include:

1. The extremely steep grade of 1400 N., particularly at the point where the connection is being proposed in close proximity to the intersection of 1400 N. and Compton Rd., will result in very significant traffic and public safety hazards that will be present no matter what the weather is like or how well the road connection is engineered.
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3. The desire to have more road connections should yield to the traffic and public safety hazards that a new 1400 N. Road Connection will impose upon everyone who lives near the proposed road connection or who drives, rides or walks on 1400 N.

	Signature	Print Name	Date	Address	Email	Phone
15.	Chris Moon	Chris Moon	4-3-14	641 W. 1400 N.	chris@bpcpas.com	801-451-7416
16.	<del>Steve Moon</del>	STEVE MOON	4-3-14	641 W. 1400 N.	Steve@bpcpas.com	801-451-7416
17.	Brynn Wilcox	Brynn Wilcox	4-3-14	1714 Canyon Circle	bwilcoxent@me.com	801-726-0871
18.						
19.						
20.						
21.						

Coty

See

**Petition Opposing 1400 N. Construction Traffic for Brentwood Estates**

(The Subject Property is located at approximately 437 West and 1400 North)

Contact: Coty Erickson, cotyerickson@gmail.com

We, the undersigned Farmington City residents and owners of property affected by the proposed 1400 N. Road Connection to the new Ivory Homes development known as Brentwood Estates, do hereby protest against Farmington City routing any construction traffic onto 1400 N. for Brentwood Estates, and do hereby request Farmington City to route any such construction traffic onto 1300 N. The reasons for this Petition include:

1. 1400 N. already bears an inordinate burden of construction traffic due to the large amount of residential construction along the Compton Bench.
2. The extremely steep grade of 1400 N. results in very significant traffic and public safety hazards from the large trucks and heavy equipment that struggle to make it up and down 1400 N. regardless of the weather.
3. 1300 N. provides a safer, alternative route for construction traffic than 1400 N.

	Signature	Print Name	Date	Address	Email	Phone
1.	<i>Lauri Pratt</i>	Lauri Pratt	2-28-13	1721 N Compton	mudlakpadl@yahoo.com	801-541-4388
2.	<i>Krista Norton</i>	KRISTA NORTON	2/28/14	1764 N. GRAND VIEW DR. FARMINGTON	kristanorte@msn.com	801-451-7397
3.	<i>Mary Lou Bornemeier</i>	Mary Lou Bornemeier	2/28/14	351 Shepard Ridge Rd Farmington	marylou93@yahoo.com	801-451-2171
4.	<i>Marvin Moseley</i>	Marvin Moseley	2/28/14	358 Shepard Ridge Rd Farmington	marv@mosley.com	451-7955
5.	<i>Herold Timmons</i>	HEROLD TIMMONS	2/28/14	401 Shepard Ridge Rd	heroldtimmons@thor.com	541-3871
6.	<i>Dale Janet Karen</i>	Dale Janet Karen	2/28/14	358 Shepard Ridge Rd.	janete.karren@gmail.com	451-5525
7.	<i>Jamila Wilcox</i>	Jamila Wilcox	2-28-14	714 Canyon Circle	jamila@wilcoxhome.com	801-925-7079



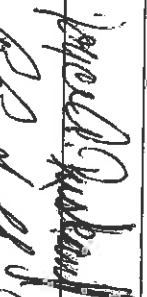


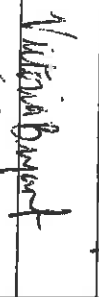
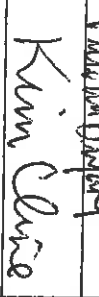

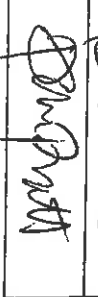
**Petition Opposing 1400 N. Construction Traffic for Brentwood Estates**

(The Subject Property is located at approximately 437 West and 1400 North)

Contact: Coty Erickson, cotyerickson@gmail.com

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	Signature	Print Name	Date	Address	Email	Phone
8.		Joyce A. Ruskau	March 1, 2014	561 W 1400 N	rjruskau@msn.com	801-451-7260
9.		Ronald Ruskau	"	"	"	"
10.		Darlene Bryant	3-1-14	553 W 1400 N	darlenebryant@yahoo.com	801-451-5612
11.		Victoria Bryant	3/1/14	"	vibryant299@yahoo.com	801-858-3048
12.		Kim Cline	3/1/14	545 W. 1400 N.	kumcline@gmail.com	801-447-6259
13.		Rick Cline	"	"	rccline@gmail.com	"
14.		Ann Pratt	4/3/14	1721 N. Compton Road	dane@hughesgc.com	801-558-0630


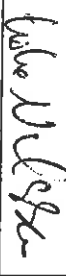




**Petition Opposing 1400 N. Construction Traffic for Brentwood Estates**

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16.		Leslie Nilsson	3/11/14	"	lesnilsson@comcast.net	801-447-9258
17.		Alicia Mansfield	3/21/14	1708 Grand View Dr	AM-Mansfield@me.com	801-578-1192
18.		Chris Moon	4/3-14	641 W. 1400 N.	chris@bpaops.com	801-451 4416
19.		Steve Moon	4-3-14	"	steve@bpaops.com	801-451-7416
20.		Bryan Wiley	4-3-14	1714 Canyon Circle	bwillcox@me.com	801-726-6871
21.						

**Petition Opposing 1400 N. Road Connection for Brentwood Estates**  
 (The Subject Property is located at approximately 437 West and 1400 North)  
 Contact: Coty Erickson, coty Erickson@gmail.com

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1.	<i>Lauri Pratt</i>	Lauri Pratt	2.28.13	1721 N Compton Farmington	mudapegal@yahoo.com	801 546-4338
2.	<i>Krista Norton</i>	KRISTA NORTON	2/28/14	1744 N. GRAND VIEW DR. FARMINGTON	Kristenort@msn.com	801-451-7377
3.	<i>Martha Finemeier</i>	Martha Finemeier	2/28/14	351 Shepard Ridge Rd Farmington	marvba93@yahoo.com	501 451-2117
4.	<i>Heidi Timmons</i>	<del>Brianne Timmons</del>	2/28/14	<del>351 Shepard Ridge Rd</del>		481-9886
5.	<i>Heidi E. Timmons</i>	HEIDI TIMMONS	2/28/14	401 Shepard Ridge Rd	uttimmons@yahoo.com	541-2871
6.	<i>Dale and Janet Karen</i>	Dale and Janet Karen	2/28/14	358 Shepard Ridge Rd	janetkaren@yahoo.com	5585 801-451-
7.	<i>Juice</i>	Jamie Wilcox	2-28-14	1714 Canyon Circle	jamiea@wilcoxand.com	801-928-7079

**Randy M. Orison**  
**1597 Ridgeview Circle**  
**Farmington, Utah 84025**

Dear Eric:

I am writing concerning the recent information that I received concerning the Ivory subdivision at the former Johnson residence. I was under the impression that the access question had already been resolved. One of our neighbors recently told us last week that there had been a change in the past decision.

You, the city council and the planning commission certainly will have some difficult decision that you will need to make over the years and this will probably be one of them. I continue to be impressed of those of you who would give of your time, talents and money to serve this community. As citizens, we can at least get involved and be heard on issues that affect us in the community.

I am concerned about the most recent decision. There are a few reasons that I would ask you and the others to consider making the access on 1300 North and not 1400 north. You are certainly aware that 1400 north is a dangerous street in the winter. When our kids were in a car pool, they were hit by a sliding car at the bottom of the street near main. I think if you check the accident reports in the city that you will see there have been several similar accidents on 1400 North. It is very difficult to get up the street many winter days. This street must be one of the most challenging streets in the winter in Farmington. The proposed entrance to 1400 North from the development looks to be very dangerous for those living on the street and the cars coming up and down the street. Those living on 1400 North are seriously concerned about their safety. We are concerned in our neighborhood about all the traffic presently coming down 1400 North and realize additional traffic is going to cause even more safety issues.

Certainly, there is going to be many more homes built in the area that will have no choice but to use 1400 north. The planning commission and city council have a chance to eliminate some of the traffic off of 1400 North at this point, **but will not in the future.**

Someone told me tonight that one of the residents in the Orchards said that it would be great to have another access to the subdivision. I think the point was that the traffic would be split. That probably will not be the case. Most of the traffic will end up using 1400 north.

Certainly the residences of the Farmington Orchards don't want more traffic coming through their neighborhood and apparently showed up to voice their opinions. That certainly would impress any council group however the decision should be made based on what is correct and right. It is my understanding in the original study, 1400 north was a very serious concern for safety. Has that issue really changed?

I have been made aware that the developer and the city planning commission have both recommended that the road be through 1300 North. That sure seems to be the right decision. It

is my hope that you will make the right chose and “**not the chose**” based on lots of people turning out to protest a decision previous made for the right of the community.

I sure appreciate all that you and the others are doing to make Farmington an incredible city to live in.

Thanks in advance,

Randy

May 5, 2014

Dear Eric Anderson,

Hello. I am writing to express my concern about the upcoming decision on the Brentwood Estates area access. We have owned homes off 1400 North for 32 years. We've seen a lot of changes in traffic on that street over time. It's gotten busier that's for sure. As you know the bottom of 1400 North it is quite steep. In the winter if you slide down you just hope that nobody is driving by on Main St. When our children were in an elementary school carpool that's exactly what happened. The Main St. car hit the one our children were in. Fortunately no one was seriously hurt. That was in the 1980's with a lot less traffic on both 1400 North and Main St.

The stretch of road going past Brentwood Estates on 1400 North is very steep. An access road onto 1400 North, especially in winter, would be unsafe. Folks would be better off going a different direction.

Please consider the best and safest options when making your decision.

Sincerely,

Shauna Orison

I am writing to petition the plans of the city planning commission to implement a road to the Brentwood Estates from access to 1400 North. This road would prove to be unsafe for several reasons, many of which have already been reviewed and discussed by the city planners.

However the safety issues were ignored when members of the neighboring subdivision mounted a resistance to a road in their neighborhood and pushed to have the city redirect the road to 1400.

However, SAFETY ISSUES SHOULD NOT BE DECIDED BY POPULAR VOTE.

Please reconsider the proposed plan to have an access road to the Brentwood Estates off of 1400 No.

Thank you,

Sandy Gremillion

307 Grand View Ct.

Farmington, Utah

Elizabeth Droge, PE  
13 E 1470 S  
Farmington, Ut 84025  
(801) 809-5045

Attn: Eric Anderson-Associate City Planner  
Attn: Farmington City Council  
Farmington City Hall  
160 S. Main  
Farmington, Ut 84025

Dear Eric and honored Farmington City Council Members,

I am writing a formal comment for the Council to consider regarding the Schematic Plan approval of the proposed Symphony Homes Eastridge Estates Conservation Subdivision. I attended and spoke at the previous city council meeting regarding my concern for potential flooding issues in my neighborhood if the storm water drainage for this development is not managed well. Unfortunately, I failed to communicate effectively and feel the council did not fully understand my concern. I felt even more remiss when I did not have an opportunity to re-address the council to clarify.

To give you a little background about myself, I have practiced as a professional engineer in the State of Utah since 2003. During that time I have worked in various fields of civil engineering including, geotechnical, site development, and transportation. During my work as a civil engineer I have dealt with grading and drainage issues multiple times.

Please understand as a Professional Engineer I am not opposed to this development. I just think special care and consideration needs to be invested in determining how to manage the storm water from this development.

My husband and I purchased our home in Farmington 7 years ago and we have loved living in this community. Unfortunately, during the time we have lived in our home we have had two incidences with our basement flooding, one December of 2011 during a prolonged storm water event, and again, 5 months later in May of 2012 when we experienced higher than usual spring runoffs and another prolonged storm event. Given the flood occurrence being associated with the storm events it is easy to assume that the flooding occurred directly because of surface runoff and poor grading and drainage on the property and that assumption is partially correct. However, both times the water came in from the bottom floor slab not down the wall or a window well and with the exception of the driveway our property grades away from the house. On our property we have 2 sump pump wells one in our driveway and one adjacent to the side of the house. We started closely monitoring these and maintaining them after the flood events and have learned that they have standing water year round. The water normally measures 1 to 2 feet below the top of our basement floor slab. This indicates that the ground water table or a “perched” ground water table is a few feet below the existing ground surface. A groundwater table close to the surface of existing ground is sensitive to surface water infiltration and can rise significantly during peak storm water runoff times; either through a prolonged storm water event or about a month or two after spring runoff begins.



I have also learned by discussing our flooding experience with our neighbors that our house is not the only one that experiences basement flooding during prolonged storm water events.

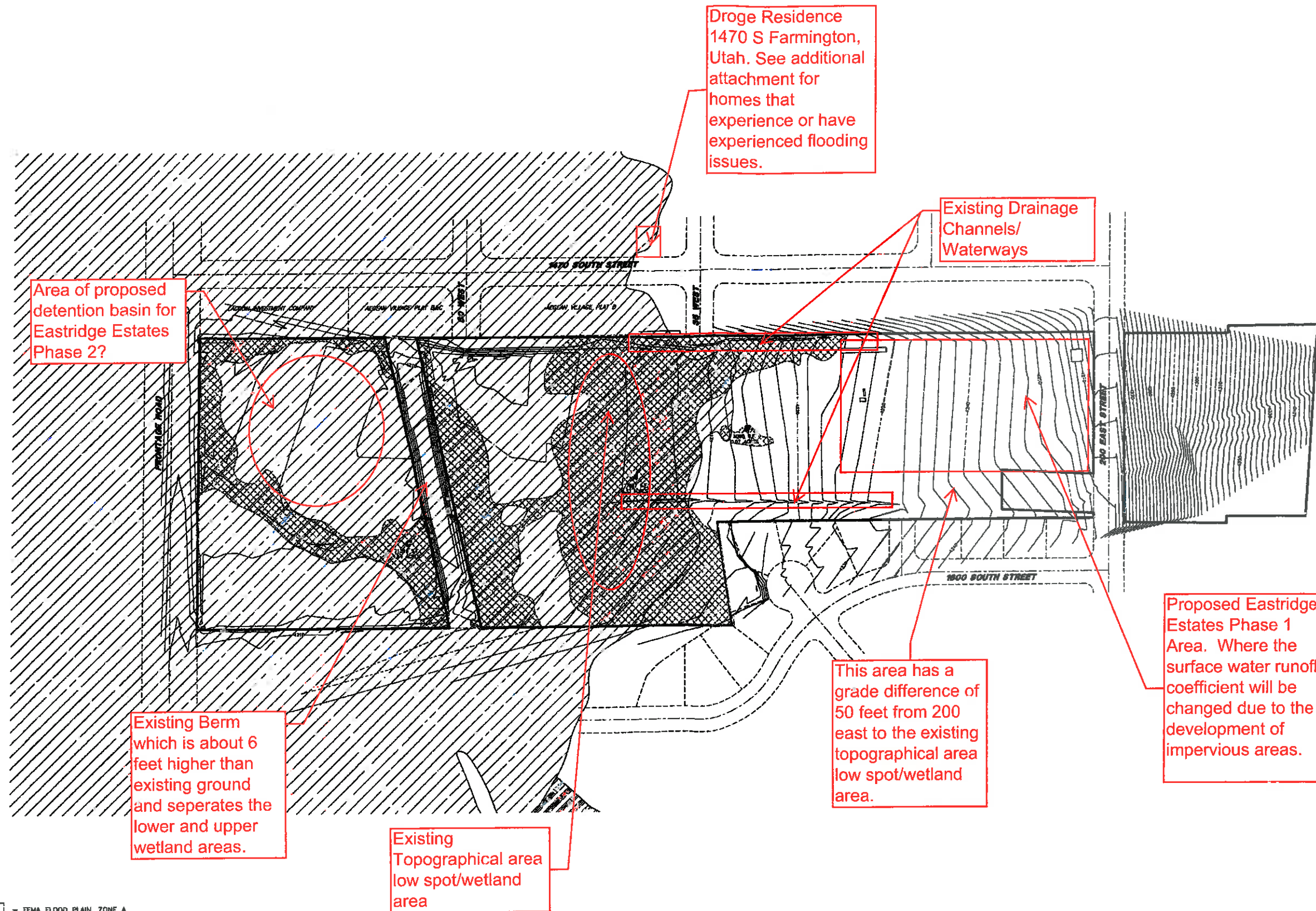
I have attached 2 files delineating the existing geography and drainage pattern in the area. One shows houses that are known to flood in addition to mine. My house is about 200 ft from the geographical low spot in the wetland area. Right now the area of the proposed development drains to that low spot. However, the land is undeveloped and the vegetation and soil in that area absorbs a significant amount of water before saturation and resulting storm water runoff. The proposed development will add a significant amount of impervious areas such as roads, houses, driveways, etc. This means that depending on the grading layout and drainage design of the proposed development the additional storm water runoff generated by the houses, driveways, and roads (which is currently absorbed by the ground and vegetation in the area) could possibly be channeled either around the development to the geographic low spot or collected and then possibly re-directed to the geographic low spot in the wetland area. This increase of storm water runoff to the geographic low spot, especially during prolonged storm water events or during times of high spring runoff, could cause the existing water table to rise higher than normal and increase the flooding incidences in our area.

Given that this development is next to a wetland area, which by very definition, retains water from a regional drainage area; I think it is prudent for the city to urge the developer to extend the geotechnical investigation and drainage design considerations beyond the normal boundaries of the proposed development in order to make an informed decision about how the storm water runoff generated by this development could affect the ground water table and inadvertently the surrounding neighborhood if not collected and contained in a closed storm drain system.

I truly appreciate your time and consideration in this manner and look forward to discussing it with you. Please feel free to contact me with any questions or concerns.

Sincerely,

Elizabeth Droge, P.E.



Area of proposed detention basin for Eastridge Estates Phase 2?

Droge Residence 1470 S Farmington, Utah. See additional attachment for homes that experience or have experienced flooding issues.

Existing Drainage Channels/ Waterways

Existing Berm which is about 6 feet higher than existing ground and separates the lower and upper wetland areas.

Existing Topographical area low spot/wetland area

This area has a grade difference of 50 feet from 200 east to the existing topographical area low spot/wetland area.

Proposed Eastridge Estates Phase 1 Area. Where the surface water runoff coefficient will be changed due to the development of impervious areas.

SCALE: 1"=100'

- FEMA FLOOD PLAIN, ZONE A
- FEMA FLOOD PLAIN, ZONE X
- WETLAND AREA

# Eastridge Estates

Farmington City, Davis County, Utah

**Reeve & Associates, Inc.**  
RA  
300 Chamber Street, Ste. 14, Ogden, UT 84403  
TEL: (801) 461-3100 FAX: (801) 461-3888 www.reeve-ra.com  
LAND SURVEYING • CIVIL ENGINEERING • LAND MANAGEMENT  
THORPE BENTLEY • ENVIRONMENTAL • PLANNING • DESIGN • CONSTRUCTION • LANDSCAPE ARCHITECTURE

REVISIONS	DATE	DESCRIPTION

**Eastridge Estates**  
FARMINGTON CITY, DAVIS COUNTY, UTAH

**Sensitive Area Designation Map**

**Project Info.**  
Engineer: N. Reeve  
Designer: C. Cove  
Begin Date: March 5, 2014  
Name: Eastridge Estates  
Number: 1864-#1

Sheet 1 of 1  
1 Sheets

**Petition Opposing 1400 N. Road Connection for Brentwood Estates**  
 (The Subject Property is located at approximately 437 West and 1400 North)  
 Contact: Coty Erickson, coty Erickson@gmail.com

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3.	<i>Mary Ann G B</i>	Mary Ann G B	2-28-14	351 Shepard Ridge Rd Farmington	MaryAnnGB@yahoo.com	501-451-2117
4.	<i>Heidi Timmons</i>	Heidi Timmons	2/28/14	401 Shepard Ridge Rd	uttimmons@blacksburg.com	404-9436
5.	<i>David Karen</i>	David Karen	2/28/14	358 Shepard Ridge Rd	daetkaren@gmail.com	505-5385
6.	<i>Janica Wilcox</i>	Janica Wilcox	2-28-14	1714 Canyon Circle	janicawilcox@gmail.com	801-9128
7.	<i>Janica Wilcox</i>	Janica Wilcox	2-28-14	1714 Canyon Circle	janicawilcox@gmail.com	801-9128

**Petition Opposing 1400 N. Road Connection for Brentwood Estates**  
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8.	<i>Joyce H. Ruskau</i>	Joyce H. Ruskau	Mar. 01, 2014	561 W 1400 N	hjruskau@comcast.net	801-451-7360
9.	<i>Delene Bryant</i>	Delene Bryant	3-1-14	533 W 1400 N	delenebryant@comcast.net	801-451-5613
10.	<i>Victoria Bryant</i>	Victoria Bryant	3/1/14	"	hjruskau2014@gmail.com	801-565-3243
11.	<i>Kim Cline</i>	Kim Cline	3/1/14	545 N. 1400 N.	kccline@comcast.net	801-447-6279
12.	<i>R. Cline</i>	R. Cline	"	"	rccline@comcast.net	"
13.	<i>Diane Nilsson</i>	Diane Nilsson	3/1/14	521 W 1400 N.	dianenilsson@comcast.net	801-447-9258
14.	<i>Leslie Nilsson</i>	Leslie Nilsson	03/01/14	521 W 1400 N	lenilsson@comcast.net	801-447-9258

**Petition Opposing 1400 N. Road Connection for Brentwood Estates**  
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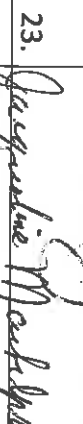



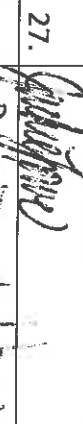
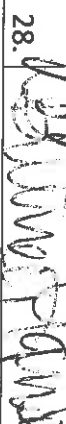
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16.	<i>[Signature]</i>	Leslie Nilsson	3/1/14	"	lesnils@comcast.net	801-447-9258
17.	<i>[Signature]</i>	Alicia Mansfield	3/21/14	1768 Grandview Dr	AM-Mansfield@hotmail.com	801-518-1100
18.	<i>[Signature]</i>	Chris Moon	4/3-14	641 W. 1400 N.	chris@bopas.com	801-451-4416
19.	<i>[Signature]</i>	Steve Moon	4-3-14	"	Steve@bopas.com	801-451-7416
20.	<i>[Signature]</i>	Bryan Wiley	4-3-14	1714 Canyon Circle	bwilson@me.com	801-726-6871
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1. The extremely steep grade of 1400 N., particularly at the point where the connection is being proposed in close proximity to the intersection of 1400 N. and Compton Rd., will result in very significant traffic and public safety hazards that will be present no matter what the weather is like or how well the road connection is engineered.
2. The 24 new building lots in Brentwood Estates will be adequately served by existing roads, including the connection from Cherry Blossom Dr. onto the lower half of 1400 N. and the connection from 1300 N. onto Main St. There is no actual need for a third road connection to Brentwood Estates.
3. The desire to have more road connections should yield to the traffic and public safety hazards that a new 1400 N. Road Connection will impose upon everyone who lives near the proposed road connection or who drives, rides or walks on 1400 N.

	Signature	Print Name	Date	Address	Email	Phone
22.		S. BRENTWOOD JONES	4/25/14	1588 RIDGEVIEW CIRCLE FARMINGTON, UT 844	schlocks@msu.com	801-451-6855
23.		Jacqueline MacKelpuang	4/25/14	6796 1400 N.	hjmackelpuang	801-451-6126
24.		Suzanne Tulane	4-29-14	1794 Grand View	Stulane@msu.com	451-7027
25.		Dennis Tulane	4-29-14	1794 Grand View	DTulane@msu.com	390-4629
26.		RANDY LOWE	4/24/14	329 Grand View Ct	wr-lowe@yahoo.com	451-8202
27.		Rakie Lowe	4/29/14	329 Grand View Ct.	rajaacklowe@june.com	451-8202
28.		Britne Jefferson	4/29/14	1743 Grand View Dr	cstansene@june.com	447-3651



**Petition Opposing 1400 N. Road Connection for Brentwood Estates**  
 (The Subject Property is located at approximately 437 West and 1400 North)  
 Contact: Coty Erickson, cotyerickson@gmail.com

We, the undersigned Farmington City residents and owners of property affected by the proposed 1400 N. Road Connection to the new Ivory Homes development known as Brentwood Estates, do hereby protest against Farmington City requiring or allowing a road connection in any form between 1400 N. and Brentwood Estates. The reasons for this Petition include:

1. The extremely steep grade of 1400 N., particularly at the point where the connection is being proposed in close proximity to the intersection of 1400 N. and Compton Rd., will result in very significant traffic and public safety hazards that will be present no matter what the weather is like or how well the road connection is engineered.
2. The 24 new building lots in Brentwood Estates will be adequately served by existing roads, including the connection from Cherry Blossom Dr. onto the lower half of 1400 N. and the connection from 1300 N. onto Main St. There is no actual need for a third road connection to Brentwood Estates.
3. The desire to have more road connections should yield to the traffic and public safety hazards that a new 1400 N. Road Connection will impose upon everyone who lives near the proposed road connection or who drives, rides or walks on 1400 N.

	Signature	Print Name	Date	Address	Email	Phone
29.	<i>Sandra Porter</i>	Sandra Porter	4-29-14	1359 Lupine Way	Sandra.san10@yahoo.com	801 803 4650
30.	<i>Coty Erickson</i>	Coty Erickson	4/29/14	5110 1400N Farmington	cotyerickson@gmail.com	801 390 7945
31.	<i>Coty Erickson</i>	Geoffrey Erickson	4/29/14	5110 1400N Farmington	geoff.e Erickson@gmail.com	801 678 8334
32.	<i>Amalee Falk</i>		5/11/14		amaleefalk@gmail.com	
33.	<i>Olag Runov</i>		Apr. 28, 2014		olagarunov@gmail.com	
34.	<i>Dmitriy Runov</i>		" "		" "	" "
35.	<i>Dale Monney</i>		4/28/14		dale.monney@jbradley.com	

#32 - I have given me, (Coty Erickson) permission to add them to the petition via email

**Petition Opposing 1400 N. Road Connection for Brentwood Estates**  
(The Subject Property is located at approximately 437 West and 1400 North)  
Contact: Coty Erickson, coty Erickson@gmail.com

We, the undersigned Farmington City residents and owners of property affected by the proposed 1400 N. Road Connection to the new Ivory Homes development known as Brentwood Estates, do hereby protest against Farmington City requiring or allowing a road connection in any form between 1400 N. and Brentwood Estates. The reasons for this Petition include:

1. The extremely steep grade of 1400 N., particularly at the point where the connection is being proposed in close proximity to the intersection of 1400 N. and Compton Rd., will result in very significant traffic and public safety hazards that will be present no matter what the weather is like or how well the road connection is engineered.
2. The 24 new building lots in Brentwood Estates will be adequately served by existing roads, including the connection from Cherry Blossom Dr. onto the lower half of 1400 N. and the connection from 1300 N. onto Main St. There is no actual need for a third road connection to Brentwood Estates.
3. The desire to have more road connections should yield to the traffic and public safety hazards that a new 1400 N. Road Connection will impose upon everyone who lives near the proposed road connection or who drives, rides or walks on 1400 N.

	Signature	Print Name	Date	Address	Email	Phone
36.	<i>Sandy Gremillion</i>		4/28/14		<i>Sandy Gremillion@gmail.com</i>	
37.	<i>Jim Gremillion</i>		"		"	
38.	<i>Garry Hart</i>		4/26/14		<i>sharonh1935@yahoo.com</i>	
39.	<i>Sharon Hart</i>		"		"	
40.	<i>Edward Ryun</i>		4/25/14		<i>edryun11@yahoo.com</i>	
41.	<i>Shirley Ryun</i>		"		"	
42.	<i>Melissa Gorn</i>		5/1/14	<i>3411 W. Primrose Court Farmington</i>		



**Petition Opposing 1400 N. Road Connection for Brentwood Estates**  
(The Subject Property is located at approximately 437 West and 1400 North)  
Contact: Coty Erickson, cotyerickson@gmail.com

We, the undersigned Farmington City residents and owners of property affected by the proposed 1400 N. Road Connection to the new Ivory Homes development known as Brentwood Estates, do hereby protest against Farmington City requiring or allowing a road connection in any form between 1400 N. and Brentwood Estates. The reasons for this Petition include:

1. The extremely steep grade of 1400 N., particularly at the point where the connection is being proposed in close proximity to the intersection of 1400 N. and Compton Rd., will result in very significant traffic and public safety hazards that will be present no matter what the weather is like or how well the road connection is engineered.
2. The 24 new building lots in Brentwood Estates will be adequately served by existing roads, including the connection from Cherry Blossom Dr. onto the lower half of 1400 N. and the connection from 1300 N. onto Main St. There is no actual need for a third road connection to Brentwood Estates.
3. The desire to have more road connections should yield to the traffic and public safety hazards that a new 1400 N. Road Connection will impose upon everyone who lives near the proposed road connection or who drives, rides or walks on 1400 N.

	Signature	Print Name	Date	Address	Email	Phone
43.	Marvin Murri		5/11/14	371 W. Rumose Court	Farmington	
44.	Tammie Murri		" "	" "		
45.	Shayne Hensley		5/11/14	603 W. Ridge Wood Circle	Farmington	
46.	Cathy Hensley		" "	" "		
47.	Penny Bradshaw		5/11/14	1700 N. Grandview Dr.	Farmington	
48.	Payon Bradshaw		" "	" "		
49.	Steve Poort		5/11/14	531 West 1400 N	Farmington	

**Petition Opposing 1400 N. Road Connection for Brentwood Estates**  
(The Subject Property is located at approximately 437 West and 1400 North)  
Contact: Coty Erickson, cotyerickson@gmail.com

We, the undersigned Farmington City residents and owners of property affected by the proposed 1400 N. Road Connection to the new Ivory Homes development known as Brentwood Estates, do hereby protest against Farmington City requiring or allowing a road connection in any form between 1400 N. and Brentwood Estates. The reasons for this Petition include:

1. The extremely steep grade of 1400 N., particularly at the point where the connection is being proposed in close proximity to the intersection of 1400 N. and Compton Rd., will result in very significant traffic and public safety hazards that will be present no matter what the weather is like or how well the road connection is engineered.
2. The 24 new building lots in Brentwood Estates will be adequately served by existing roads, including the connection from Cherry Blossom Dr. onto the lower half of 1400 N. and the connection from 1300 N. onto Main St. There is no actual need for a third road connection to Brentwood Estates.
3. The desire to have more road connections should yield to the traffic and public safety hazards that a new 1400 N. Road Connection will impose upon everyone who lives near the proposed road connection or who drives, rides or walks on 1400 N.

	Signature	Print Name	Date	Address	Email	Phone
50.	Karen Roste		5/11/14	" "		
51.	Chris Parr		5/11/14	297 W Grandview CT Farmington		
52.	Eryn Parr		5/11/14	" "		
53.	Lucas Grabgel		5/11/14	1011 W 1400 N Farmington		
54.	Jordan Booth		5/11/14	" "		
55.	Brent Geisler		5/11/14	" "		
56.	Shane Honey		5/11/14	Primrose Court		
57	April Honey		" "	" "		
58	Sharon Dave Mitchell		5/11/14	1417 N Foxglove Rd Farmington		

Dear Mayor Talbot and City Council Members:

I have attached a letter to you from 38 Farmington City residents. The letter responds to the two Appeals that were filed concerning the Brentwood Estates Preliminary Plat, which are agenda items at your City Council meeting this coming Tuesday, May 6th. We would very much appreciate it if you could review our letter prior to your next meeting. We also request that you enter the letter and hand delivered petition including 59 signatures in the record at the public hearing. Thank you for your consideration of our concerns.

Coty Erickson

May 2, 2014

**VIA ELECTRONIC MAIL & HAND DELIVERY**

Farmington City Mayor,  
City Council and City Manager  
160 S. Main Street  
Farmington, Utah 84025

mayor@farmington.utah.gov  
jbilton@farmington.utah.gov  
bmellor@farmington.utah.gov  
critz@farmington.utah.gov  
jyoung@farmington.utah.gov  
danderson@farmington.utah.gov  
dmillheim@farmington.utah.gov

Re: Response to Appeals Concerning Brentwood Estates Preliminary Plat

Dear Mayor, City Council and City Manager:

The undersigned Farmington City residents hereby respond to the two Appeals of the Planning Commission's April 3, 2014 Decision concerning the Brentwood Estates Preliminary Plat. For purposes of this letter, the appeal submitted by Steve Young on behalf of several residents in the Welling Way, Cherry Blossom and 1300 North neighborhoods will be referred to herein as the "Residents' Appeal."

As you are aware, this is an extremely important issue that concerns the safety of thousands of Farmington residents and their guests who use the roads in question. Based on the facts, concerns and analysis contained in this letter, we respectfully request the City Council to reject both Appeals and uphold the decision of the Planning Commission to approve the Brentwood Estates Preliminary Plat based on Ivory's original Schematic Plan that did not provide direct vehicular access from the subdivision to the top portion of 1400 North (the "Brentwood to 1400 North Vehicle Access").

The remainder of this letter outlines pertinent facts relating to both Appeals, responds directly to the concerns raised in Residents' Appeal, provides additional concerns related to both Appeals, and is followed by a list of those Farmington residents who support this letter.

**Background**

The following section summarizes pertinent facts relating to both Appeals.

1. In or about the summer of 2013, Ivory Homes began submitting conceptual plans to the City for the development of the Brentwood subdivision. Those conceptual plans included the Brentwood to 1400 North Vehicle Access. The City Staff, and particularly the City's former engineer, Paul Hirst, rejected Ivory's plans on multiple occasions over several months, each time deeming the Brentwood to 1400 North Vehicle Access unsafe in any form.

2. In or about November 2013, Ivory finally submitted a proposed Schematic Plan for the Brentwood Estates Conservation Subdivision (the "Original Schematic Plan"). As submitted, the Original Schematic Plan consisted of 24 lots on 13.82 acres of property. Significantly, the Original Schematic Plan included a cul-de-sac abutting 1400 North instead of the Brentwood to 1400 North Vehicle Access.

3. On December 10, 2013, City Staff submitted a Staff Report to the Planning Commission recommending approval of the Original Schematic Plan.

4. On December 12, 2013, the Planning Commission held a public hearing on the Original Schematic Plan. At the hearing, some residents raised concerns that Welling Way, Cherry Blossom and 1300 North were insufficient to handle the increased traffic and increased need for emergency services resulting from the subdivision, and these residents requested that the subdivision have direct vehicular access to the top portion of 1400 North. In response, City Staff represented to the Planning Commission that the Original Schematic Plan had been reviewed by the City's traffic engineer and some of the city's other service departments, and that there was no need for the additional access to 1400 North because the existing roads and access points were more than sufficient to handle the additional traffic and emergency services. City Staff also noted Paul Hirst's conclusion that any vehicular access to the top portion of 1400 North would be unsafe.

5. Based on the sufficiency of existing roads and access points, coupled with the safety concerns of a vehicular access to the top portion of 1400 North, the Planning Commission unanimously recommended that the City Council approve the Original Schematic Plan subject to certain conditions, including adding a pedestrian walkway from the cul-de-sac to 1400 North. Moreover, the Planning Commission specifically stated on the record that, if Ivory later changed its Original Schematic Plan by reverting to a Brentwood to 1400 North Vehicle Access, then the Planning Commission requested that it be given the opportunity to review the altered schematic plan at a re-noticed public hearing before such schematic plan be presented to the City Council.

6. After the December 12<sup>th</sup> Planning Commission meeting, residents living along Welling Way, 1300 North and Cherry Blossom organized an effort to oppose the Planning Commission's recommendation to approve the Original Schematic Plan. In that regard, those residents hired Scott Balling to re-design the Brentwood to 1400 North Vehicle Access.

7. On January 21, 2014, the City Council considered the Planning Commission's recommended approval of the Original Schematic Plan. The Welling Way, 1300 North and Cherry Blossom residents showed-up en masse to oppose the Original Schematic Plan, and, for the first time, presented Balling's alternative design. Significantly, Balling's proposed alternative design was not made available to the general public prior to this meeting. The 1400 North & North Compton neighborhoods were not well represented at the meeting because they were unaware of Balling's alternative design and were operating under the reasonable belief that the Original Schematic Plan would be adopted as recommended.

8. At the conclusion of the January 21<sup>st</sup> meeting, the City Council tabled action on the Planning Commission's recommendation for the purpose of further consideration of Balling's alternative design. The public hearing was continued until the next City Council meeting. Because Balling's alternative design was not presented to the general public until the January 21<sup>st</sup> meeting, many 1400 North & North Compton residents who would have otherwise been opposed to the alternative design were unaware that the City Council intended to consider adopting the alternative design at its next meeting.

9. Prior to the City Council's next meeting, Ivory submitted a new Schematic Plan to the City based on Balling's alternative design wherein the cul-de-sac was removed and replaced with the Brentwood to 1400 North Vehicle Access (the "Alternative Schematic Plan"). Despite the Planning Commission's request, the City Council declined to return the Alternative Schematic Plan to the Planning Commission for further review.

10. On February 18, 2014, the City Council re-opened the public hearing on Ivory's modified request for approval of the Alternative Schematic Plan. Prior to the hearing, City Staff

submitted a new Staff Report to the City Council recommending approval of the Alternative Schematic, noting that the new City Engineer now determined it was possible to allow vehicular access to the top portion of 1400 North so long as the cross-slope of the tie-in to 1400 North was not more than 14%. At the conclusion of the hearing, the City Council approved the Alternative Schematic Plan over the objection of the few 1400 North & North Compton residents who learned of the City Council's intentions on the eve of the hearing.

11. After the February 18<sup>th</sup> hearing, Ivory submitted a proposed Preliminary Plat to the City consistent with the Alternative Schematic Plan.

12. On April 3, 2014, the Planning Commission held a work study session wherein the Commission received a Staff Report recommending approval of the proposed Preliminary Plat, along with a letter from the City's traffic engineer, Tim Taylor (the "Traffic Assessment").

13. In the Traffic Assessment, Mr. Taylor noted, among other things, that: (a) "sight distance for northbound exiting vehicles will be sufficient"; (b) the queuing area and associated grades on the approach to 1400 North "should be sufficient to accommodate the peak period traffic demand"; (c) "the primary vehicular route to/from the proposed subdivision will be 1400 North"; (d) of the 280 daily vehicle trips generated by the new subdivision, 80% (224 trips) would access the subdivision via 1400 North, 20% (56 trips) would access the subdivision via 1300 North, and 0% (0 trips) would access the subdivision via Cherry Blossom; and (e) a vehicle would be entering or exiting the intersection of the Brentwood to 1400 North Vehicle Access every 2 1/2 minutes on average. By contrast, nowhere in the Traffic Assessment did Mr. Taylor: (a) analyze the number of trips already using 1400 North, 1300 North and Cherry Blossom; (b) the potential or frequency with which vehicles traveling down 1400 North may come into close proximity with vehicles exiting the proposed intersection; (c) the need (or lack thereof) for the proposed access; or (d) otherwise find that the Brentwood to 1400 North Vehicle Access would be "safe," instead only using words such as "adequate" and "sufficient."

14. After the work study session, the Planning Commission held a public hearing on Ivory's proposed Preliminary Plat. At the beginning of the hearing, Ivory's representative admitted that the only way to make the access point truly safe was to create a flat landing area on 1400 North at the access point (like in the Avenues), which would be impossible to do. During the hearing, the Planning Commission received a Petition signed by several 1400 North & North Compton residents who opposed the proposed Preliminary Plat. The Planning Commission also took public comment from several Welling Way residents who supported the Brentwood to 1400 North Vehicle Access, as well as several 1400 North & North Compton residents who raised significant safety concerns about the Brentwood to 1400 North Vehicle Access.

15. After considering all of the facts and concerns raised, the Planning Commission rejected Ivory's proposed Preliminary Plat, and instead approved a Preliminary Plat based on the Original Schematic Plan as originally recommended by the Planning Commission. Those members of the Planning Commission who voted in favor of the decision included two new members who were not involved in the Planning Commission's prior decision to recommend approval of the Original Schematic Plan. One new member of the Planning Commission dissented. The vote of the Planning Commission was 5 to 1.

**Response to Concerns Raised by the Residents' Appeal**

The following section responds to the numbered concerns listed in the Residents' Appeal. For ease of reference, the concerns in the Residents' Appeal are restated verbatim below, followed by our response.

**1. Prior Consideration.** The City Council and City staff already considered the single access and double access options at the January 21 and February 18 City Council meetings after receiving significant public input. After such consideration, the City staff recommended the double access option and the City Council unanimously approved the double access option. The City Council should affirm its prior decision and approve the double access Preliminary Plat.

**Response.** The "significant public input" received by the City Council and City staff at the January 21 and February 18 City Council meetings was overwhelmingly one-sided from the Welling Way, 1300 North and Cherry Blossom residents. We believe this resulted in the City Council being unfairly persuaded by "public clamor." This situation was exacerbated by the lack of prior notice to the 1400 North & North Compton residents regarding Balling's alternative design, Ivory's mid-stream material change from their Original Schematic Plan to their Alternative Schematic Plan, and the City Council's decision to not send the Alternative Schematic Plan back to the Planning Commission for its consideration. Moreover, at the only hearing where both sides of the issue were fairly and equally represented – the Planning Commission's April 3<sup>rd</sup> meeting – the Planning Commission rejected the Brentwood to 1400 North Vehicle Access due to safety concerns. The City Council should affirm the Planning Commission's April 3<sup>rd</sup> Decision and not approve the double access Preliminary Plat.

**2. Safety of Double Access.** Double access subdivisions are always preferred for safety reasons so residents and emergency vehicles have two alternatives to get into and out of a neighborhood. A single access also creates a "big block" problem for emergency vehicles as going around the "block" for those 25 lots would require a trip all the way up and around North Compton Road.

**Response.** Double access subdivisions are only preferable for safety reasons if the second access does not create equal or greater safety concerns. Moreover, when the subdivision was presented as a single access subdivision in the Original Schematic Plan, City Staff represented that the single access point in question (above Cherry Blossom and Welling Way) did not pose any safety concerns for emergency vehicles because of the access via 1300 North. Finally, while the Brentwood to 1400 North Vehicle Access would provide a double access point to the 24 lots in the new subdivision, it would provide a "triple access point" for all of the Welling Way, 1300 North and Cherry Blossom residents. Since those residents already have double access to their subdivision, why are they even raising this issue?

**3. Safety of Children on Cherry Blossom.** Cherry Blossom was not designed as a traffic thoroughfare. Sending so many new cars daily down Cherry Blossom creates a safety hazard as the cars are passing numerous homes where children are playing in the yard. Three-way diversification of the traffic flow optimizes safety for all.

**Response.** It is incorrect to assume that, if the Brentwood to 1400 North Vehicle Access is not approved, then vehicle traffic from the new subdivision will use Cherry Blossom. Indeed, the Traffic Assessment concludes that vehicle traffic generated by

the new subdivision will not use Cherry Blossom at all. This is consistent with the observation that Cherry Blossom is already seldom used due to its poor design, and that 1300 North is the natural choice for vehicle traffic to enter/exit the entire Welling Way and 1300 North neighborhoods and most of the upper Cherry Blossom neighborhoods.

**4. Safety at Cherry Blossom Intersection.** Where Cherry Blossom connects with 1400 North, it is a significant safety hazard. The grade on the west side of the road is much greater than that allowed by City Code. This functionally turns the road into one lane at that point (school busses will not go up the road, and the snow plow will not plow the West side of the road). Cherry Blossom also does not have staging areas as are required by City Code to prevent cars from sliding into traffic on 1400 North. Sending the Brentwood Estates traffic down Cherry Blossom will only exacerbate these problems on Cherry Blossom as traffic backs up at that intersection.

**Response.** This is a red herring for the same reasons stated in the prior response – the new subdivision will not generate any traffic that uses the Cherry Blossom intersection. Furthermore, safety at the Cherry Blossom intersection must be compared with safety at the intersection for the Brentwood to 1400 North Vehicle Access. While Cherry Blossom’s approach to 1400 North is admittedly undesirable, its approach does empty onto the only flat section of 1400 North, meaning any car that loses control on Cherry Blossom can regain control on 1400 North. By contrast, while the approach for the Brentwood to 1400 North Vehicle Access will be less steep than Cherry Blossom’s, it will empty onto the steepest and most dangerous section of 1400 North, meaning any car that loses control on the Brentwood approach and/or when turning onto 1400 North will not be able to regain control until sliding hundreds of feet downhill.

**5. Safety on 1300 North.** If cars go out 1300 North, that road also exceeds the 15% allowed grade, and several cars could not get up 1300 North in the storms of 2013-2014. Sending so much of the traffic down 1300 North will only exacerbate these problems as traffic backs up on 1300 North. The 1300 North road was also not designed to handle so much additional traffic. Three-way diversification of the traffic flow is the better alternative.

**Response.** Plainly stated, 1400 North is steeper for a longer distance than 1300 North. Moreover, the City’s traffic engineer previously concluded that 1300 North, as designed, was more than sufficient to handle the additional traffic generated by the new subdivision. Finally, “three-way diversification” is a misnomer, because the Traffic Assessment expressly found that 80% of the traffic would funnel onto 1400 North, 20% of the traffic would funnel onto 1300 North, and 0% of the traffic would funnel onto Cherry Blossom. “80/20 disproportionate diversification” would be a more accurate phrase than three-way diversification.

**6. Safety at the Single Access.** The single access to Cherry Blossom is reportedly supposed to be 55’ by City Code, but it was granted an exception at 50’ with no sidewalk. Sending all 150 car trips a day through this 50’ road will create congestion and safety concerns as this single access will functionally be a one way access road as two cars will not be able to pass safely if there is a parked car on the road. There is also no sidewalk so children and others will have to walk on the same tight road.

**Response.** If the single access from the subdivision to Welling Way is 50’ with no sidewalk, it will actually provide more pavement for two-way traffic and parking than



a 55' road, because the 55' includes two 4-foot sidewalks plus park strips and curb & gutter. Moreover, whether or not there is no sidewalk, one sidewalk or two sidewalks remains an open question. If a sidewalk is added, it is possible to not add sidewalk on both sides and/or do away with one or both park strips, and still have more pavement (14' feet for each lane) than required by City Code. In the end, this access will be more than sufficient to safely accommodate vehicle and pedestrian traffic, and will not have any of the other safety concerns that surround the Brentwood to 1400 North Vehicle Access.

**7. Reliance.** When residents purchased homes in the Cherry Blossom and 1300 north neighborhoods, they did so with the expectation of a second access at Brentwood. These investment decisions were made in reliance on the City Master Plan which has shown a double access on the Brentwood Estates Subdivision since the 1990s. The City should not now pull the rug out from under these residents by running a projected 150 cars a day through the Cherry Blossom and 1300 North neighborhoods.

**Response.** It is unclear which City Master Plan is being referenced. After North Compton Road was finished in the late 1990s, we are not aware of any plan that indicated a road may access 1400 North from Brentwood. Perhaps there was a road shown in that general area prior to the time North Compton was finished, but North Compton would have satisfied and replaced any such need. Furthermore, to the extent such a plan actually existed and any resident actually relied upon it, such reliance was unreasonable as a matter of law. A city's general plan is an ever-evolving document that cannot create any vested rights for a property owner, making any reliance by a property owner at the property owner's own risk.

**8. Diversification of Traffic Flow.** Residents of 1400 North have raised this same legitimate concern – that they do not want additional traffic by their homes. However, their request is to close off the 1400 North access and send all traffic down Cherry Blossom and 1300 North. The residents of Cherry Blossom and 1300 North could make a similar request and ask that a single access go out to 1400 North, sending all traffic down 1400 North. But these residents are not making this request. The better alternative is to diversify the traffic flow so all three neighborhoods share in the traffic burden. This three-way diversification was in the best interest of the common good when the master plan was prepared and is best interest of the common good today.

**Response.** First, as explained above, the Brentwood to 1400 North Vehicle Access does not result in "diversification." Moreover, it is reasonable to assume that, if the Brentwood to 1400 North Vehicle Access is allowed, additional traffic from the existing residents living in the upper Cherry Blossom, Welling Way and 1300 North neighborhoods will start to use the Brentwood to 1400 North Vehicle Access instead of their current use of 1300 North. This will result in an additional, unknown traffic burden to be borne by the 1400 North residents, and will further lessen the burden on 1300 North. Finally, such a scenario is manifestly unfair because 1400 North already bears a disproportionate traffic burden for all traffic coming to/from all subdivisions on 1400 North and North Compton Road, including numerous large subdivisions to the east, north-east and south-east, and that burden will continue to grow unabated with the establishment of additional subdivisions to those areas. By contrast, the traffic burden on 1300 North is limited to the relatively smaller subdivisions on upper Cherry Blossom, Welling Way and 1300 North, and cannot increase beyond the traffic generated by Brentwood because Brentwood is the last existing vacant piece of land that could be developed and tied-into 1300 North.

Second, and more fundamentally, the above statement from the Residents' Appeal appears to tip their hand as to the true motivation behind their Appeal. That is, they do not want any additional traffic in front of their homes. They should not impute the same primary motivation to the 1400 North & North Compton residents. If additional traffic in front of homes was the primary issue at stake, then the 1400 North & North Compton residents would have given up long ago.

Third, and most importantly so that the record is absolutely clear, the primary motivation behind our support of the Planning Commission's April 3<sup>rd</sup> Decision is NOT a concern about additional traffic in front of our homes. Instead, our primary motivation is our safety concern about the convergence of vehicle, bicycle, pedestrian and other traffic at the intersection of the Brentwood to 1400 North Vehicle Access.

**9. Staying True to the Community Design.** Some who drive on 1400 North have expressed concerns about additional traffic on 1400 North. But 1400 North was built to handle this traffic, and has been designated as such by the Master Plan for many years. The designed 1400 North thoroughfare should be used as a thoroughfare. Cherry Blossom was not designed as a thoroughfare and 1300 North was not designed with a single access contemplated at Brentwood. Safety concerns relating to traffic flowing by additional homes where children play daily should trump concerns of additional traffic on 1400 North. Diversification of traffic flow optimizes the common good.

**Response.** It is an exaggeration to claim that Cherry Blossom or 1300 North will become a "thoroughfare" as a result of the 24 additional homes in Brentwood. Also, children living along 1400 North have the same right to safe play in front of their homes as do children living along 1300 North and Cherry Blossom. Finally, as opposed to 1300 North and Cherry Blossom, 1400 North is regularly used by countless bicyclists, long boarders, joggers, etc., many of whom do not even live in the area. Their safety should also be taken into account when considering the common good.

**10. Weighting of Concerns.** Some have expressed concerns about the safety of the new access on 1400 North, primarily relating to the slope of the new road and icy conditions. But these icy conditions will exist only 30 or so days a year, and do not justify creating single access safety issues or sending additional traffic by so many additional homes on Cherry Blossom for 365 days a year. Additionally, the same safety concerns that exist on the new 1400 North access already exist at the Cherry Blossom and 1400 North intersection and on 1300 North. Diversification of the traffic flow is the best way to minimize these safety concerns rather than exacerbating the safety concerns on Cherry Blossom and 1300 North.

**Response.** If icy conditions cause a severe car wreck due to the convergence of traffic at the Brentwood to 1400 North Vehicle Access, it should not matter whether the icy conditions existed 30 days a year or 1 day a year, particularly if there is a death involved. This legitimate safety concern should outweigh any desire for "connectivity," "diversification of traffic" or any other buzzword that might be used to justify the Residents' Appeal.

**Our Additional Concerns/Observations Related to the Appeals**

The following section raises additional concerns and observations that have not been previously addressed in this letter.

1. **Deference to Planning Commission.** The Planning Commission, on two different occasions and with two different panels, has thoroughly reviewed both of Ivory's Original and Alternative Plans, has consistently found significant safety concerns with a Brentwood to 1400 North Vehicle Access, and has recommended and approved the Original Schematic Plan. While it is the City Council's right to reach its own conclusion, it should give some amount of deference to the Planning Commission's decision. The Planning Commission, although an appointed body, also is tasked with making decisions in the best interest of Farmington City. The Planning Commission's well-reasoned decisions should not be hastily disregarded. At minimum, the Planning Commission's steadfast refusal to approve the Brentwood to 1400 North Vehicle Access should cause each City Council member to give extra scrutiny to this issue.

2. **Icy Conditions of North-Facing Approach.** The approach from the subdivision to 1400 North for the Brentwood to 1400 North Vehicle Access will face north. It will be bounded on the east by a 10 foot retaining wall, on the west by the terrain of the existing hill, and on the south by the 5%-7% slope of the new road. Under these conditions in the winter, the approach will almost always be shaded, and will have no real opportunity to thaw. Even with constant snow-plow maintenance, the approach will be treacherous in the winter due to constant icy conditions.

3. **Inability to See & Plan for 1400 North Westbound Traffic.** Cars approaching 1400 North from the subdivision will not be able to see oncoming westbound traffic descending 1400 North until the 10 foot retaining wall tapers near the last few feet of the approach. Further, because of the position of the Pratt house directly to the east of the intersection, cars which clear the retaining wall will not be able to see or plan for northbound traffic on North Compton that is getting ready to turn westbound onto 1400 North, and vice versa. This will lead to the next concern listed below.

4. **Inability to Stop of 1400 North Westbound Traffic.** In icy conditions, any vehicle that begins to descend 1400 North cannot stop until reaching the flat stretch of road near Coty Erickson's house. In dry conditions, the same is true of the bicyclists and longboarders who regularly descend 1400 North for the thrill. If, at the same time, a vehicle from Brentwood turns left onto 1400 North because they could not see and plan for the descending traffic, the car/bicycle/longboard that was sliding/coasting down 1400 North will collide with the left-turning vehicle from Brentwood within a split second.

5. **Connection to Most Dangerous Stretch of 1400 North.** This point cannot be stressed enough. This is one of the longest stretches of steep paved road in Farmington. Every year, drivers of cars, school buses and large construction vehicles find themselves white-knuckling the steering wheel while they slide down this stretch of 1400 North praying their tires grab the road before they hit something. Adding a vehicle intersection to this stretch of road, when it is unnecessary and can be avoided, is not good planning.

6. **Lack of Need for Connection vs. Desire for Connectivity.** There is always a general desire for connectivity of neighborhoods via multiple road access points. Cul-de-sacs are not generally desirable from a planning perspective. However, neither the desire for connectivity, nor the desire to avoid cul-de-sacs, can be looked at in a vacuum. Rather, one must weigh other considerations, such as "is there an actual need for the connection in the specific case?" Here, it is a matter of public record that there is no actual need for the connection from a safety perspective or

otherwise, just a desire for more connections. Why, then, create significant safety concerns by approving the Brentwood to 1400 North Vehicle Access when no safety concerns exist in the absence of the connection?

7. **Feasibility of Connection vs. Safety of Connection.** Although the City Staff originally thought the Brentwood to 1400 North Vehicle Access was impossible from an engineering perspective, it has now been deemed feasible. However, just because the engineering is feasible, does not mean the connection is safe. Putting all else aside, the connection will never be safe due to the lack of terracing on this stretch of 1400 North.

**Summary**

In the end, the inherent and unavoidable safety issues surrounding any Brentwood to 1400 North Vehicle Access, coupled with the fact the City previously found there was no need for the connection, should outweigh the City’s desire for connectivity and the Welling Way, Cherry Blossom and 1300 North residents’ desire to avoid the additional traffic generated from the 24 new homes.

Thank you for your consideration of our concerns. Cordially,

/s/ Geoffrey & Coty Erickson, 511 W. 1400 North	/s/ Kris & Meagan Kaufman, 1734 North Compton Rd.
/s/ Steve & Chris Moon, 641 W. 1400 North	/s/ Dmitriy & Olga Runov, 1722 North Compton Rd.
/s/ Leslie & Diane Nilsson, 521 W. 1400 North	/s/ Melissa Garn, 376 W. Primrose Ct.
/s/ Steve & Karen Poorte, 531 W. 1400 North	/s/ Marv & Tami Murri, 377 W. Primrose Ct.
/s/ Lucas Grabeel, 501 W. 1400 North	/s/ Shane & April Honey, 391 W. Primrose Ct.
/s/ Jordan Booth, 501 W. 1400 North	/s/ Aaron & Penny Bradshaw, 1706 N. Grandview Dr.
/s/ Brent Geisler, 501 W. 1400 North	/s/ Justin & Alicia Mansfield, 1768 N. Grandview Dr.
/s/ Ron & Joyce Ruskauff, 561 W. 1400 North	/s/ Randy & Jackie Lowe, 329 W. Grandview Ct.
/s/ Bryan & Jamica Wilcox, 1714 N. Canyon Cir.	/s/ Chris & Eryn Parr, 297 West Grandview Ct.
/s/ Shayne & Cathy Hemsley, 663 W. Ridgewood Cir.	/s/ James & Sandra Porter, 1359 Lupine Way
	/s/ Dave & Sharon Mitchell, 1417 N. Foxglove Rd.